

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

-v.- :

OLEKSANDR DOROZHKO :

Defendant, :

Case No.07 CIV 9606 (NRB)

SECOND DECLARATION OF PAUL A. GUMAGAY

I, PAUL A. GUMAGAY, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a Senior Counsel in the Division of Enforcement of Plaintiff United States Securities and Exchange Commission ("SEC") in Washington, D.C. I am a member of the bar of the State of New York and a member of this Court. I make this declaration in support of the Plaintiff Securities and Exchange Commission's Memorandum of Law in Reply to Defendant Dorozhko's Opposition to Plaintiff's Motion for Preliminary Injunction and Other Equitable Relief and Opposition to Defendant's Motion to Dismiss. This declaration is based on documents obtained by the SEC staff from various sources.

2. Attached as Exhibit A is a true and correct copy of a one-page document with the subject line "Certification" dated September 10, 2007 with the caption "CIB Bank." This document was obtained by the SEC staff from Interactive Brokers LLC.

3. Attached as Exhibit B is a true and correct copy of Plaintiff Securities And Exchange Commissions's Notice Of Deposition And Request For Production Of Documents From Defendant Oleksandr Dorozhko dated November 5, 2007.

4. Attached as Exhibit C is a true and correct copy of Plaintiff Securities And Exchange Commission's First Set Of Interrogatories To Defendant Oleksandr Dorozhko dated November 6, 2007.

5. Attached as Exhibit D is a true and correct copy of Plaintiff Securities And Exchange Commission's First Set Of Requests For Admissions Pursuant To Rule 36 Of The Federal Rules Of Civil Procedure dated November 6, 2007.

6. Attached as Exhibit E is a true and correct copy of a draft letter from Charles A. Ross, Esq. to Hon. Naomi R. Buchwald dated November 5, 2007.

7. Attached as Exhibit F is a true and correct copy of a letter from Charles A. Ross, Esq. to Carl A. Tibbetts, Esq. dated November 8, 2007.


8. Attached as Exhibit G is a true and correct copy of an email and attachment from Carl A. Tibbetts, Esq. to Oleksandr Dorozhko and Charles A. Ross, Esq. dated November 2, 2007.

9. Attached as Exhibit H is a true and correct copy of a letter from Carl A. Tibbetts, Esq. to Charles A. Ross, Esq. and Christopher L. Padurano, Esq. sent November 7, 2007.

10. Attached as Exhibit I are true and correct copies of documents entitled "Complaint" and "Order of Preliminary Injunction, Freeze of Assets and Other Relief as to Defendants Kristjan Lepik and Oliver Peek" in Securities and Exchange Commission v. Lohmus Haavel & Viisemann, et al., 05 CV 9259 (Judge Sweet).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 9, 2007


Paul A. Gumagay